



PUBLIC NOTICE

Federal Communications Commission
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DA 14-666
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MEDIA BUREAU ACTION

REQUEST FOR COMMENT ON BLACK TELEVISION NEWS CHANNEL'S REQUEST FOR TEMPORARY WAIVER OF BAN ON ADVERTISING FOR DBS PUBLIC INTEREST SET-ASIDE CHANNELS

MB DOCKET NO. 14-77

Comment Date: June 16, 2014
Reply Comment Date: July 1, 2014

Black Television News Channel ("BTNC") has filed a request for a three-year waiver of the requirement that programming carried on the direct broadcast satellite ("DBS") noncommercial reserved channels contain no commercials.¹ We request comment on the issues raised by BTNC's waiver request.

Parties must file responses to the waiver request on or before the comment and reply comment dates listed above. We are assigning this proceeding a Commission docket number, **MB Docket No. 14-77**, in order to facilitate filing public comments. **All filings must reference this docket number.**

Filing Requirements. Parties to this proceeding must file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Ex Parte Rules. This matter will be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.² Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2)

¹ Black Television News Channel ("BTNC") Request for Limited, Temporary Waiver of the Commission's Advertising Ban on Noncommercial National Educational Programming Suppliers, filed May 15, 2014 at 1 ("Waiver Request"). See 47 C.F.R. § 25.701 (DBS public interest obligations); 47 U.S.C. § 335(b) (imposing certain public interest obligations on DBS providers, including a requirement to reserve a percentage of channel capacity for noncommercial educational or informational programming).

² See 47 C.F.R. § 1.1206 ("Permit-but-disclose" proceedings"); see also *id.* §§ 1.1200-1.1216.

summarize all data presented and arguments made during the presentation.³ If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For additional information, contact Evan Baranoff, Evan.Baranoff@fcc.gov, of the Media Bureau, Policy Division, (202) 418-7142. Direct press inquiries to Janice Wise, Janice.Wise@fcc.gov, of the Media Bureau, at (202) 418-8165.

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³ See *id.* § 1.1206(b). Memoranda must contain a summary of the substance of the *ex parte* presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See *id.* § 1.1206(b)(1).